



September 30, 2005
Via Overnight Service

210 N Park Ave
Winter Park, FL
32789

P.O. Drawer 200
Winter Park, FL
32790-0200

Tel 407-740-8575
Fax 407-740-0613
tmi@tminc.com

Mr. Ron Jones, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

To the Attention of: Sharla Dillon, Docket and Records Manager

RE: Joint Petition of Cinergy Communications and Access Integrated Networks, Inc. for
Expedited Approval of Transfer of Customer Base

Dear Mr. Jones:

Attached please find the original and thirteen (13) copies of the above-referenced petition submitted on behalf of Access Integrated Networks, Inc. ("AIN") and Cinergy Communications ("CCC") plus the necessary attachments. The original signed verification pages will be sent under separate cover by October 7, 2005. A filing fee of \$25.00 is also enclosed. As discussed with TRA Staff, the Company respectfully requests that this petition be processed on an expedited basis

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose. Any questions you may have regarding this filing may be directed to my attention at (407) 740-3004 or via e-mail at rmorton@tminc.com.

Sincerely,

Robin Norton
Consultant

cc: Sharyl Fowler - AIN
Bob Bye - Cinergy
file: AIN - TN Local
tms: TNx0501

RECEIVED

2005 OCT -3 PM 2:32

T.R.A. DOCKET ROOM

05-00269

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Joint Petition of)	
Access Integrated Networks, Inc.)	TRA Docket No. _____
and Cinergy Communications)	
For Approval of Transfer of)	
Certain Customers)	

**JOINT PETITION OF ACCESS INTEGRATED NETWORKS, INC.,
AND CINERGY COMMUNICATIONS FOR EXPEDITED APPROVAL OF
TRANSFER OF CERTAIN CUSTOMERS**

Cinergy Communications ("CCC") and Access Integrated Networks, Inc. ("AIN") respectfully request, pursuant to Rule 1220-4-2-.56 of the Tennessee Regulatory Authority ("TRA") Rules, the Tennessee Regulatory Authority ("TRA") to approve on an expedited basis the transfer of customers among the petitioners. Upon approval of this petition, the petitioners propose to transfer certain CCC customers to AIN.

CCC provides local exchange and long distance telephone services to customers in Tennessee, and will continue to provide service to its remaining Tennessee customers after the transaction. AIN is a full service telecommunications company that also provides local exchange and long distance services to customers in Tennessee. This transaction will represent an increase in AIN's current Tennessee customer base of approximately 15%.

After the necessary regulatory approvals, the aforementioned customers will be served by AIN. Upon completion of the customer transfer, Petitioners will resolve any customer questions that may result from the transfer.

Prior to implementing these changes, notification will be sent by petitioners, using envelopes and letterhead bearing the CCC logo, to all affected customers. This notification will advise the customers of the following: the pending change of their carrier selection to AIN; that there will be no change to the rates, terms, and conditions of the service(s) to be provided by the acquiring carrier without sufficient notices as identified

herein; that there will be no charge to the customer associated with the change; that the subscriber has the right to select a different preferred carrier, if an alternative carrier is available; a toll-free customer service telephone number for inquiries about the transfer; the fact that all subscribers receiving the notice, including those who have arranged preferred carrier freezes through their local service providers, will be transferred to the new carrier if they do not select a different preferred carrier before the transfer date; and whether the acquiring carrier will be responsible for resolving outstanding complaints against the selling or transferring carrier. The acquiring carrier agrees to provide the affected customers a thirty day written notice of any rate increase that may affect their service up to ninety days from the date of the transfer of customers and will include this information in the initial notification letter to the customer.

Petitioners respectfully request that the TRA issue an order approving the transfer pursuant to Rule 1220-4-2-.56 in order to consummate the transfer of customers. In support of this request, Petitioners provide the following information:

I. THE PETITIONERS AND PARTIES

Both CCC and AIN are authorized to provide local and long distance services in Tennessee. These companies offer a competitive variety of local and interexchange telecommunications services. Although the proposed transfer only involves customers in Tennessee, these companies are authorized to provide telecommunications services in other states either pursuant to certification or registration, or on an unregulated basis. These companies are also authorized by the FCC to provide interstate and international telecommunications services.

II. CONTACT INFORMATION

Correspondence of communications pertaining to this application should be directed to:

Vincent Oddo
President/CEO
Access Integrated Networks, Inc.
4885 Riverside Drive, Suite 202
Macon, Georgia 31210

with a copy to:

Bob Bye
Vice President and General Counsel
Cinergy Communications
8829 Bond Street
Overland Park, Kansas 66214

III. REQUEST FOR APPROVAL

Pursuant to Rule 1220-4-2-.56 of the Tennessee Regulatory Authority Rules, the telecommunications provider of a customer shall not be changed without the customer's authorization. Rule 1220-4-2-.56(2)(d) provides that in the case of a transfer of a customer base between two or more telecommunications providers, the Authority, upon petition by the acquiring provider may deem that sufficient notice has been given and grant approval of the petition. The Petitioners have complied with Federal Communications Commission notice requirements for a waiver of the authorization and verification rules for implementation of the subscriber carrier selection changes provisions of the Telecommunications Act of 1996 (Attachment 1). Further, the petitioners have drafted a proposed subscriber notification letter in compliance with Federal and Tennessee law (Attachment 2).

IV. CUSTOMER IMPACT

This transaction will be made in a seamless fashion that will avoid disruption to consumers. Existing consumers of the Petitioners will not be inconvenienced. There will be no interruption of service or change in rates, and customers will be well informed of their choices.

V. PUBLIC INTEREST CONSIDERATIONS

The Petitioners have determined that the proposed transaction will improve operational efficiency, and thus provide greater opportunities to improve the price and performance of services available to its customers. If prior customer authorization is required in this event, customers may fail to respond to a request for authorization, neglect to select another long distance carrier or lose their long distance service during the transition. Consequently, granting this Petition is consistent with the public interest in promoting competition among telecommunications carriers in Tennessee. Further, by granting this Petition, unnecessary slamming complaints will be prevented during the transition, saving Petitioners and the TRA administrative burdens.

WHEREFORE, for reason stated above, the Petitioners submit that the public interest, convenience and necessity would be furthered by a grant of this Joint Petition for Approval of Customer Base Transfer pursuant to Rule 1220-4-2-.56(2)(d).

Respectfully submitted this ____ day of September, 2005.

By: _____
Vincent Oddo
President/CEO
Access Integrated Networks, Inc.
4885 Riverside Drive, Suite 202
Macon, Georgia 31210

and

By: _____
Bob Bye
Vice President and General Counsel
Cinergy Communications
8829 Bond Street
Overland Park, Kansas 66214

Secretary of State**Corporations Section**

James K. Polk Building, Suite 1800
Nashville, Tennessee 37243-0306

DATE: 04/07/99
REQUEST NUMBER: 3665-3062
TELEPHONE CONTACT: (615) 741-2286
FILE DATE/TIME: 04/07/99 1051
EFFECTIVE DATE/TIME: 04/07/99 1051
CONTROL NUMBER: 0368854

TO:
STONE & BAXTER, LLP
577 MULBERRY ST.
STE. 1111
MACON, GA 31201

RE:
ACCESS INTEGRATED NETWORKS, INC.
APPLICATION FOR CERTIFICATE OF AUTHORITY -
FOR PROFIT

WELCOME TO THE STATE OF TENNESSEE. THE ATTACHED CERTIFICATE OF
AUTHORITY HAS BEEN FILED WITH AN EFFECTIVE DATE AS INDICATED ABOVE.

A CORPORATION ANNUAL REPORT MUST BE FILED WITH THE SECRETARY OF STATE
ON OR BEFORE THE FIRST DATE OF THE FOURTH MONTH FOLLOWING THE CLOSE OF THE
CORPORATION'S FISCAL YEAR. PLEASE PROVIDE THIS OFFICE WITH WRITTEN
NOTIFICATION OF THE CORPORATION'S FISCAL YEAR. THIS OFFICE WILL MAIL THE
REPORT DURING THE LAST MONTH OF SAID FISCAL YEAR TO THE CORPORATION AT THE
ADDRESS OF ITS PRINCIPAL OFFICE OR TO A MAILING ADDRESS PROVIDED TO THIS
OFFICE IN WRITING. FAILURE TO FILE THIS REPORT OR TO MAINTAIN A REGISTERED
AGENT AND OFFICE WILL SUBJECT THE CORPORATION TO ADMINISTRATIVE REVOCATION
OF ITS CERTIFICATE OF AUTHORITY.

WHEN CORRESPONDING WITH THIS OFFICE OR SUBMITTING DOCUMENTS FOR
FILING, PLEASE REFER TO THE CORPORATION CONTROL NUMBER GIVEN ABOVE.

FOR: APPLICATION FOR CERTIFICATE OF AUTHORITY -
FOR PROFIT

ON DATE: 04/07/99

FROM:
ACCESS INTEGRATED NETWORKS
152 NORTH CREST BLVD
SUITE C
MACON, GA 31210-1844

	FEE	
RECEIVED:	\$600.00	\$0.00
TOTAL PAYMENT RECEIVED:		\$600.00
RECEIPT NUMBER:	00002477586	
ACCOUNT NUMBER:	00309475	



Riley C. Darnell

RILEY C. DARNELL
SECRETARY OF STATE

APPLICATION FOR CERTIFICATE OF AUTHORITY FOR

ACCESS INTEGRATED NETWORKS, INC.

To the Secretary of State of the State of Tennessee.

Pursuant to the provisions of Section 48-25-103 of the Tennessee Business Corporation Act, the undersigned corporation hereby applies for a certificate of authority to transact business in the State of Tennessee, and for that purpose sets forth:

1. The name of the corporation is ACCESS INTEGRATED NETWORKS, INC.If different, the name under which the certificate of authority is to be obtained is NOT APPLICABLE

[NOTE: The Secretary of State of the State of Tennessee may not issue a certificate of authority to a foreign corporation for profit if its name does not comply with the requirements of Section 48-14-101 of the Tennessee Business Corporation Act. If obtaining a certificate of authority under an assumed corporate name, an application must be filed pursuant to Section 48-14-101(d) and an additional \$20.00 fee.]

2. The state or country under whose law it is incorporated is GEORGIA3. The date of its incorporation is MAY 28, 1996 (must be month, day, and year), and the period of duration, if other than perpetual, is NOT APPLICABLE

4. The complete street address (including zip code) of its principal office is

121 NORTH CREST BLVD.	MACON,	GEORGIA/USA	31210
Street	City	State/Country	Zip Code

5. The complete street address (including the county and the zip code) of its registered office in this state is

530 GAY STREET,	KNOXVILLE	TENNESSEE	37902
Street	City/State	County	Zip Code

The name of its registered agent at that office is

CT CORPORATION SYSTEM

6. The names and complete business addresses (including zip code) of its current officers are: (Attach separate sheet if necessary)

SEE ATTACHMENT 1

7. The names and complete business addresses (including zip code) of its current board of directors are (Attach separate sheet if necessary)

SEE ATTACHMENT VII

8. The corporation is a corporation for profit.

9. If the document is not to be effective upon filing by the Secretary of State, the delayed effective date/time is

, 19____ (date), _____ (time)

[NOTE: A delayed effective date shall not be later than the 90th day after the date this document is filed by the Secretary of State.]

[NOTE: This application must be accompanied by a certificate of existence (or a document of similar import) duly authenticated by the Secretary of State or other official having custody of corporate records in the state or country under whose law it is incorporated. The certificate shall not bear a date of more than one (1) month prior to the date the application is filed in this state.]

March 22, 1999
Signature DatePRESIDENT

Signer's Capacity

ACCESS INTEGRATED NETWORKS, INC.

Name of Corporation

William T. Wright
SignatureWILLIAM T. WRIGHT

Name (typed or printed)



SECRET - 7
SECRETARY OF STATE
**ACCESS INTEGRATED NETWORKS, INC.
(TENNESSEE)**

ATTACHMENT VII - OFFICER & DIRECTOR INFORMATION

NAME	OFFICE / TITLE	MAILING ADDRESS
William T. Wright	President / Director	777 Will Scarlet Way Macon, Georgia 31210
George Forbes	VP of Operations/Secretary	1049 Underwood Dr. Macon, Georgia 31210
Randy Smith	VP of Marketing and Sales / Director	122 Wolf Creek Dr. Macon, Georgia 31210
Warren Rowland	Director	Rt.3 - Houser Mill Rd. Bryon, Georgia 31008
David Dyer	Director	350 Riverdale Rd. Macon, Georgia 31210
Rodney Page	Director	1224 Crawford Rd Barnesville, Georgia 30204

PLEASE NOTE THAT A TREASURER WILL BE ELECTED AT THE NEXT DIRECTOR MEETING.

Secretary of State**Corporations Division****315 West Tower****2 Martin Luther King, Jr. Dr.****Atlanta, Georgia 30334-1530**

DOCKET NUMBER : K90900037
CONTROL NUMBER : K616805
DATE INC/AUTH/FILED : 05/28/1996
JURISDICTION : GEORGIA
PRINT DATE : 03/31/1999
FORM NUMBER : 211

STONE & BAXTER, LLP
STEPHEN LOUIS A. DILLARD
1111 CHARTER MEDICAL BLDG., 577 MULBERRY
MACON GA 31201

CERTIFICATE OF EXISTENCE

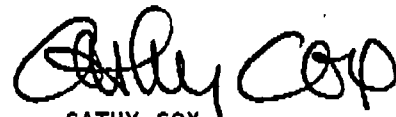
I, Cathy Cox, the Secretary of State of the State of Georgia, do hereby certify under the seal of my office that

ACCESS INTEGRATED NETWORKS, INC.
A DOMESTIC PROFIT CORPORATION

was formed in the jurisdiction stated above or was authorized to transact business in Georgia on the above date. Said entity is in compliance with the applicable filing and annual registration provisions of Title 14 of the Official Code of Georgia Annotated and has not filed articles of dissolution, certificate of cancellation, or any other similar document with the office of the Secretary of State.

This certificate relates only to the legal existence of the above-named entity as of the date issued. It does not certify whether or not a notice of intent to dissolve, an application for withdrawal, a statement of commencement of winding up, or any other similar document has been filed or is pending with the Secretary of State.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence that said entity is in existence or is authorized to transact business in this state.


CATHY COX
SECRETARY OF STATE



**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

December 3, 1999

IN RE:

**APPLICATION OF ACCESS INTEGRATED
NETWORKS, INC. FOR A CERTIFICATE OF PUBLIC
CONVENIENCE AND NECESSITY AS A COMPETING
TELECOMMUNICATIONS SERVICE PROVIDER**

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)
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DOCKET NO. 99-00644

**ORDER GRANTING CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

On November 30, 1999, this matter came before the Tennessee Regulatory Authority ("Authority") upon the Application of Access Integrated Networks, Inc. for a Certificate of Public Convenience and Necessity as a Competing Telecommunications Service Provider ("Application") to offer a broad variety of telecommunications services within the State of Tennessee. The Application was made pursuant to Tenn. Code Ann. § 65-4-201 *et seq.*

LEGAL STANDARD FOR GRANTING CCN

The Application of Access Integrated Networks, Inc. ("AIN") was considered in light of the criteria for granting a certificate of public convenience and necessity ("CCN") as set forth in applicable statutes. Tenn. Code Ann. § 65-4-201 provides, in part:

(a) No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the authority, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation, and no person or corporation not at the time a public utility shall commence the construction of any plant, line, system or route to be operated as a public utility, or

FILE

the operation of which would constitute the same, or the owner or operator thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate . . .

* * *

(c) After notice to the incumbent local exchange telephone company and other interested parties and following a hearing, the authority shall grant a certificate of convenience and necessity to a competing telecommunications service provider if after examining the evidence presented, the authority finds:

(1) The applicant has demonstrated that it will adhere to all applicable commission policies, rules and orders; and

(2) The applicant possesses sufficient managerial, financial, and technical abilities to provide the applied for services.

An authority order, including appropriate findings of fact and conclusions of law, denying or approving, with or without modification, an application for certification of a competing telecommunications service provider shall be entered no more than sixty (60) days from the filing of the application.

(d) Subsection (c) is not applicable to areas served by an incumbent local exchange telephone company with fewer than 100,000 total access lines in this state unless such company voluntarily enters into an interconnection agreement with a competing telecommunications service provider or unless such incumbent local exchange telephone company applies for a certificate to provide telecommunications services in an area outside its service area existing on June 6, 1995.

Furthermore, pursuant to Tenn. Code Ann. § 65-5-212, competing telecommunications providers are required to file with the Authority (1) a plan containing the provider's plan for purchasing goods and services from small and minority-owned telecommunications businesses; and (2) information on programs that might provide technical assistance to such businesses.

INTERVENORS

Public notice of the hearing in this matter was made by the Authority's Executive Secretary, pursuant to Tenn. Code Ann. § 65-4-204. No interested persons sought intervention prior to or during the hearing.

AIN'S HEARING

AIN's Application was uncontested. At the hearing held on November 30, 1999, AIN was represented by Mr. Michael Bressman of Boulton, Cummings, Connors & Berry, PLC, 414 Union Street, Suite 1600, Post Office Box 198062, Nashville, Tennessee 37219. In addition, Mr. William T. Wright, AIN's President and Chief Executive Officer, presented testimony and was subject to examination by the Authority's Directors. Upon AIN's conclusion of proof in its case, the Authority granted AIN's Application based upon the following findings of fact and conclusions of law:

I. APPLICANT'S QUALIFICATIONS

1. AIN is a corporation organized under the laws of the State of Georgia on May 28, 1996 and was qualified to transact business in Tennessee on April 7, 1999.

2. The complete street address of AIN's principal place of business is 121 North Crest Boulevard, Macon, Georgia 31210. The phone number is (912) 475-9800 and fax number is (912) 475-9988. AIN's counsel is Michael Bressman. Boulton, Cummings, Connors & Berry, PLC, 414 Union Street, Suite 1600, Post Office Box 198062, Nashville, Tennessee 37219.

3. The Application and supporting documentary information existing in the record indicate that AIN has the requisite technical and managerial ability to provide telecommunications services within the State of Tennessee on a facilities-based and resale basis. Specifically, AIN's management has extensive expertise in the telecommunications industry, including numerous years of experience with an incumbent local exchange carrier, and has made arrangements for the technical support to provide its telecommunications services. In addition, AIN is currently authorized to provide telecommunications services in Alabama, Florida, Georgia, Kentucky and South Carolina.

4. AIN has the necessary capital and financial ability to provide the services it proposes to offer.

5. AIN has represented that it will adhere to all applicable policies, rules and orders of the Authority.

II. PROPOSED SERVICES

1. AIN intends to offer a full array of telecommunications services throughout the State of Tennessee on a facilities-based and resale basis. Specifically, AIN intends to provide a full range of interexchange (including interLATA and intraLATA), exchange access, special access, and local exchange telecommunications services, including prepaid services. AIN's target market for its services will be primarily small and medium-sized business users.

2. Except as may be authorized by law, AIN does not intend to serve any areas currently being served by an incumbent local telephone company with fewer than 100,000 total access lines where local exchange competition is prohibited pursuant to Tenn. Code Ann. § 65-4-201(d).

III. PERMITTING COMPETITION TO SERVE THE PUBLIC CONVENIENCE AND NECESSITY

Upon a review of the Application and the record in this matter, the Authority finds that approval of AIN's application would inure to the benefit of the present and future public convenience by permitting competition in the telecommunications services markets in the State and by fostering the development of an efficient technologically advanced statewide system of telecommunications services.

IV. SMALL AND MINORITY-OWNED TELECOMMUNICATIONS BUSINESS PARTICIPATION PLAN & BUSINESS ASSISTANCE PROGRAM

1. AIN has filed a satisfactory small and minority-owned telecommunications business participation plan, pursuant to Tenn. Code Ann. § 65-5-212 and the Authority's Rules.

2. AIN has acknowledged its obligation to contribute to the funding of the small and minority-owned telecommunications business assistance program, as set forth in Tenn. Code Ann. § 65-5-213.

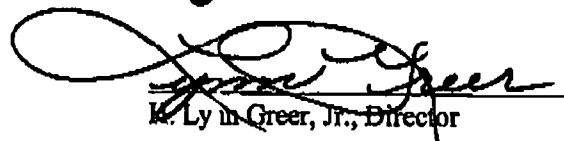
IT IS THEREFORE ORDERED THAT:

1. The Application of Access Integrated Networks, Inc. for a Certificate of Public Convenience and Necessity is approved;

2. Any party aggrieved with the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within ten (10) days from and after the date of this Order; and

3. Any party aggrieved with the Authority's decision in this matter has the right of judicial review by filing a Petition for Review in the Tennessee Court of Appeals, Middle Section, within sixty (60) days from and after the date of this Order.


Melvin J. Malone, Chairman


K. Lylin Greer, Jr., Director


Sara Kyle, Director

ATTEST:


K. David Waddell, Executive Secretary

**BOULT • CUMMINGS
CONNERS • BERRY PLC**

REC'D TN
REGULATORY AUTH

April A. Ingram
(615) 252-2302
Fax: (615) 252-6302
Email: aingram@boutcumings.com

'01 MAY 7 AM 11 05

May 7, 2001 OFFICE OF THE
EXECUTIVE SECRETARY
Via Hand Delivery

Mr. David Waddell
Executive Director
Tennessee Regulatory Authority
404 James Robertson Parkway
Nashville, Tennessee 37243-0505

Re: Change in Name

Dear Mr. Waddell:

An Order was issued by the Tennessee Regulatory Authority on April 4, 2001 granting a Certificate of Convenience and Necessity to Community Telephone Corporation (the "Company") to provide competitive local exchange and interexchange telecommunications services.

This letter is to notify you that the name of the Company has been changed to Cinergy Communications Company. A copy of the amended articles of incorporation is attached.

An original and 13 copies of this letter are being submitted, along with the requisite \$25.00 filing fee. If you have any questions, please feel free to call me at 252-2302.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC



By:

April A. Ingram

AAI/nl
Enclosure

c: Bob Bye, Esq.

0085590.09

ARTICLES OF AMENDMENT
OF
ARTICLES OF INCORPORATION

John Y. Brown III
Secretary of State
Received and Filed
04/16/2001 12:11 PM
Fee Receipt: \$40.00
sperry - PAOA

COMMUNITY TELEPHONE CORPORATION, a corporation organized

under the laws of the State of Kentucky, by its President and Secretary, does hereby
certify:

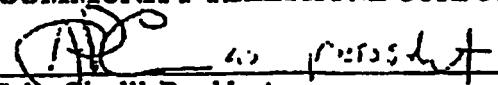
1. That the board of directors of said corporation at a meeting duly convened
and held on the 7th day of March, 2001, passed a resolution declaring that the following
change and amendment in the articles of incorporation is advisable.


RESOLVED that subsection (A) of the first paragraph of said Articles of
Incorporation be amended to read as follows: "The name of the corporation is
CINERGY COMMUNICATIONS COMPANY."

2. That the above amendment of the said Articles of Incorporation was
adopted unanimously by the board of directors and without shareholder action. That
pursuant to KRS 271B.10-010, et seq., said adoption by the board of directors does not
require the approval or action of the shareholders for said amendment.

IN WITNESS WHEREOF, the said President has caused this ARTICLES OF
AMENDMENT to be signed by its President and its Secretary this 3rd day of
April, 2001.

COMMUNITY TELEPHONE CORPORATION


John Cinelli, President


Cole Hawks, Secretary

BEFORE THE TENNESSEE REGULATORY AUTHORITY AT

NASHVILLE, TENNESSEE

April 4, 2001

IN RE:

**Application of Community Telephone Corporation
for Certificate of Convenience and Necessity as a
Competing Telecommunications Service Provider**

DOCKET NO. 01-00112

**INITIAL ORDER GRANTING CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

This matter came before the Tennessee Regulatory Authority ("Authority"), upon the application of Community Telephone Corporation ("Applicant") for certificate of convenience and necessity to provide facilities-based and resold local exchange and interexchange telecommunications services in the areas served by BellSouth and Sprint-United (the "Application") filed on February 1, 2001. The Application was made pursuant to Tenn. Code Ann. § 65-4-201 *et seq.* A Hearing on the Application was held before K. David Waddell, acting as Hearing Officer, on April 4, 2001

LEGAL STANDARD FOR GRANTING CCN

The Application was considered in light of the criteria for granting a certificate of public convenience and necessity ("CCN") as set forth in applicable statutes. Tenn. Code Ann. § 65-4-201 provides, in part:

(a) No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the authority, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation,

and no person or corporation not at the time a public utility shall commence the construction of any plant, line, system or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate . . .

* * *

(c) After notice to the incumbent local exchange telephone company and other interested parties and following a hearing, the authority shall grant a certificate of convenience and necessity to a competing telecommunications service provider if after examining the evidence presented, the authority finds:

(1) The applicant has demonstrated that it will adhere to all applicable commission policies, rules and orders; and

(2) The applicant possesses sufficient managerial, financial, and technical abilities to provide the applied for services.

An authority order, including appropriate findings of fact and conclusions of law, denying or approving, with or without modification, an application for certification of a competing telecommunications service provider shall be entered no more than sixty (60) days from the filing of the application.

In addition, pursuant to Tenn. Code Ann. § 65-5-212, competing telecommunications providers are required to file with the Authority (1) a plan containing the provider's plan for purchasing goods and services from small and minority-owned telecommunications businesses; and (2) information on programs that might provide technical assistance to such businesses.

INTERVENORS

Public notice of the hearing in this matter was made by the Authority's Executive Secretary, pursuant to Tenn. Code Ann. § 65-4-204. No interested persons sought intervention prior to or during the hearing.

APPLICANT'S HEARING

The Application was uncontested. At the hearing held on April 4, 2001, the Applicant was represented by Ms. April Ingram of Boulit, Cummings, Connors & Berry, PLC, 414 Union Street, Suite 1600, Post Office Box 198062, Nashville, Tennessee 37219. In addition, Robert

Bye, Corporate Counsel, for the Applicant, presented testimony and was subject to examination by the Hearing Officer. Upon Applicant's conclusion of the proof in its case, the Hearing Officer recommended approval of the Application based upon the following findings of fact and conclusions of law:

I. APPLICANT'S QUALIFICATIONS

1. The Applicant is a corporation organized under the laws of the State of Kentucky.
2. The complete street address of the Applicant's principal place of business is 1419 W. Loyd Expressway, Evansville, Indiana 47710. The telephone number is (812)-461-3355. Applicant's outside counsel is April A. Ingram, Esq. of Boulton, Cummings, Connors & Berry, PLC, 414 Union Street, Suite 1600, Post Office Box 198062, Nashville, Tennessee 37219.
3. The Application and supporting documentary information existing in the record indicate that the Applicant has the requisite technical and managerial ability necessary to provide telecommunications services within the State of Tennessee. Specifically, the Applicant's management and technical teams have extensive expertise in the telecommunications industry. The Applicant is authorized to provide telecommunications services in Indiana and Kentucky.
4. The Applicant has the necessary capital and financial capability to provide the services it proposes to offer.
5. The Applicant has represented that it will adhere to all applicable policies, rules and orders of the Authority.

II. PROPOSED SERVICES

The Applicant intends to provide facilities-based and resold local exchange telecommunications services in the areas served by BellSouth and Sprint-United.

III. PERMITTING COMPETITION TO SERVE THE PUBLIC CONVENIENCE AND NECESSITY

Upon a review of the Application and the record in this matter, the Hearing Officer finds that approval of the Application would inure to the benefit of the present and future public

convenience by permitting competition in the telecommunications services markets in the State and by fostering the development of an efficient technologically advanced statewide system of telecommunications services.

IV. SMALL AND MINORITY-OWNED TELECOMMUNICATIONS BUSINESS PARTICIPATION PLAN & BUSINESS ASSISTANCE PROGRAM

1. The Applicant has filed a satisfactory small and minority-owned telecommunications business participation plan, pursuant to Tenn. Code Ann. § 65-5-212 and the Authority's Rules.

2. The Applicant has acknowledged its obligation to contribute to the funding of the small and minority-owned telecommunications business assistance program, as set forth in Tenn. Code Ann. § 65-5-213.

IT IS THEREFORE ORDERED THAT:

1. Community Telephone Corporation's application is approved;

2. The Applicant shall file a report with the Authority two years after the date of this order, if the Applicant has not yet offered service in Tennessee. Such report shall detail the reasons for the lack of service and any future plans for providing telecommunications services in Tennessee.

3. Any party aggrieved by this initial decision may file a Petition for Reconsideration with the Tennessee Regulatory Authority within fifteen (15) days from and after the date of this Order. Such Petition shall be considered by the Hearing Officer presiding herein;

4. Any party aggrieved by the decision of the Hearing Officer in this matter may also file a Petition for appeal pursuant to Tenn. Code Ann. § 4-5-315 with the Tennessee Regulatory Authority within fifteen (15) days from and after the date of the Order. If the Tennessee Regulatory Authority or any of the parties herein do not seek review of this Initial

Order within the time prescribed by Tenn. Code Ann. § 4-5-315, this Order shall become the Final Order.

ENTERED THIS 4th DAY OF April, 2001.

A handwritten signature in black ink, appearing to read "K. David Waddell", is written over a horizontal line.

K. DAVID WADDELL,
AS HEARING OFFICER



banner

Secretary of State Web Site

Instructions

Name	I.D. Number
CINERGY COMMUNICATIONS COMPANY	0291171

Business Type*:	CORPORATION
Profit/Nonprofit:	FOR PROFIT
Status*:	ACTIVE
Date of Formation/Qualification:	02/27/1995
Domestic/Foreign:	FOREIGN
Place of Incorporation/Organization:	KY
Duration:	PERPETUAL
FYC(Fiscal Year Closing) Month:	SEPTEMBER

Principal Office:

Address Line 1:	1419 W LLOYD EXPY
Address Line 2:	SUITE 101
City:	EVANSVILLE
State:	IN
Zip:	47710
Other than USA:	

Registered Agent:

Name:	NATIONAL REGISTEREDAGENTS, INC
Address Line 1:	1900 CHURCH STREET
Address Line 2:	SUITE 400
City:	NASHVILLE
State:	TN
Zip:	37203

Business Filing History

*** Important Note:** Business filing History includes information about (1) the basis for an inactive status and (2) the current true name and filing status of a business with an assumed name or a changed status.

Note This information is current as of three working days prior to today's date

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VERIFICATION

I, Vincent Oddo, hereby declare under penalty of perjury, that I am President/CEO of Access Integrated Networks, Inc.; that I am authorized to make this verification on behalf of Access Integrated Networks, Inc.; that I have read the foregoing Petition; and that the facts stated therein are true and correct to the best of my knowledge, information and belief.

Vincent Oddo, President/CEO
Access Integrated Networks, Inc.

Sworn to and subscribed before me this _____ day of _____, 2005.

Notary Public

My Commission expires:

VERIFICATION

I, Bob Bye, hereby declare under penalty of perjury, that I am Vice President and General Counsel; that I am authorized to make this verification on behalf of Cinergy Communications; that I have read the foregoing Petition; and that the facts stated therein are true and correct to the best of my knowledge, information and belief.

Bob Bye, Vice President and General Counsel
Cinergy Communications

Sworn to and subscribed before me this _____ day of _____, 2005.

Notary Public

My Commission expires:

Attachment 1
Access Integrated Networks, Inc.
FCC Notification



September 30, 2005
Via overnight mail

210 N Park Ave
Winter Park, FL
32789

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, D.C.

PO Drawer 200
Winter Park, FL
32790-0200

Re: CC Docket No. 00-257
Notification of Transfer of Certain Local and Long Distance Service
Subscribers from Cinergy Communications to Access Integrated
Networks, Inc.

Tel 407-740-8575 Dear Ms. Dortch:

Fax 407-740-0613

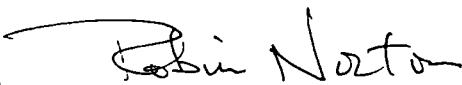

tmi@tminc.com

Pursuant to CC Docket No. 00-257 and in accordance with Section 64.1120(e)(1) of the Commission's rules, Access Integrated Networks, Inc. ("AIN") hereby notifies the Commission that it has entered into an agreement with Cinergy Communications ("CCC"), pursuant to which AIN will acquire certain local and long distance service subscribers from Cinergy. After the date of the transfer, these services will be provided to the affected customers by AIN. The transfer of the customer base will take place effective October 31, 2005.

AIN hereby certifies that it has complied with the advance subscriber notification requirements set forth in Section 64.1120(e)(3) of the Commission's rules, with the obligations specified in that notice and with Commission requirements that apply to this streamlined process. The customer notice was mailed to affected subscribers on September 30, 2005. A copy of the notice is enclosed as Attachment A.

Four copies of this letter are also enclosed. A receipt copy is enclosed as well. Please date stamp the receipt copy and return it in the self addressed, stamped envelope provided. If you have any questions with respect to this letter, please direct them to the undersigned below at (407)-740-8575.

Sincerely,



Carey Roesel
Consultant to Access Integrated Networks, Inc.

Enclosures

cc: Sharyl Fowler -- AIN
file: AIN - FCC

Attachment 2
Access Integrated Networks, Inc.
Customer Notice

--CINERGY LOGO--

Customers Name
Customers Address
City, State, Zipcode

Dear _____

This letter is to inform you that Access Integrated Networks, Inc ("Access") has entered into an agreement to acquire, subject to regulatory approval, from Cinergy Communications ("CCC") certain CCC phone service accounts in the state of Tennessee effective _____. As a result of this agreement, Access will assume responsibility for all services previously provided to you by CCC. Access is excited about the opportunity to provide your phone service and looks forward to a long and successful business relationship.

Please rest assured, the transition will have no impact on your current services, nor will there be any interruption of service or carrier change fees. The agreement between Access and CCC has been structured so that the transfer of service will be a seamless transition with no interruption of service. You have the right to select a different carrier for the telecommunication service(s) at issue, if an alternative carrier is available. Please note that if you are a customer of CCC on the date of the transfer your account will automatically be transferred to Access.

You will receive your first billing statement from Access starting with your _____ bill. Any balances owed for services provided prior to _____ will remain payable to CCC. All terms, conditions, and pricing of your service will stay the same and will not be affected by the transaction. Access is required to advise you that if Access changes any rates within ninety (90) days following the transfer of your service, Access will provide you with a notice of the rate change thirty (30) days prior to the change date.

Please note that any local service preferred carrier "freeze" you have placed on your existing telephone lines to prevent unauthorized transfer to another local carrier will be over-ridden for purposes of this transaction, and will need to be reinstated by you after the transfer is complete.

If you have any questions about this transaction prior to _____, you can contact CCC Communications at _____. After _____, you can contact Access Integrated Networks at _____ for any questions pertaining to service and billing.

About Access Integrated Networks, Inc.

Access Integrated Networks, Inc, is a privately held integrated communications company based in Macon, Georgia providing the most efficient and cost effective communications solutions available today to residential and small to medium size business customers in the Southeast. For more information on Access and its offerings, please visit Access' website at www.accesscomm.com.

Access looks forward to continuing to provide you with quality service for many years to come.

Sincerely,

Cinergy Communications, and

Access Integrated Networks, Inc